

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE: LION AIR FLIGHT JT
610 CRASH**

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)
) **Lead Case No. 18 CV 7686**
) **Honorable Thomas M. Durkin**
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**RESPONSE TO PLAINTIFFS' MOTION TO ORDER THEIR FORMER COUNSEL TO
PRODUCE CLIENT FILES AND EVIDENCE OF EXPRESS AUTHORITY TO SETTLE**

THOMAS GIRARDI and GIRARDI KEESE (the "Respondents"), by and through their attorneys, MONICO & SPEVACK, submit this Response to Plaintiffs' Motion to Order their Former Counsel to Produce Client Files and Evidence of Express Authority to Settle. DKT No. 870. Respondents take no position regarding the Plaintiffs' Motion. Instead, Respondents respectfully ask this Court to defer ruling on Plaintiffs' Motion until the anticipated appointment of a Bankruptcy Trustee. In support, the Respondents state the following:

1. On December 14, 2020, this Court entered a civil contempt judgment against the Respondents. The Court asked the parties to submit a proposed order as to the appointment of a Trustee and freezing assets. DKT Nos. 848, 849.
2. On December 16, 2020, this Court was informed that several involuntary bankruptcy petitions were being prepared in the Central District of California and would likely be filed within 48 hours. Upon discussion, the parties suggested that a bankruptcy trustee in the Central District of California would be best suited to address the Respondents finances.
3. On December 18, 2020, this Court entered an Order that, effectively, delayed any actions by the Respondents until a Trustee was appointed. *See* DKT No. 879.

4. On December 18, 2020 a Chapter 7 Involuntary Bankruptcy Petition was filed against THOMAS GIRARDI. *See* 20-bk-21020 (*U.S. Bankruptcy Court Central District of California (Los Angeles) Bankruptcy Petition*).
5. On December 18, 2020, a Chapter 7 Involuntary Bankruptcy Petition was filed against GK. *See* 20-bk-21022 (*U.S. Bankruptcy Court Central District of California (Los Angeles) Bankruptcy Petition*).
6. Due to the pending Bankruptcy petitions and likely appointment of a Bankruptcy Trustee in the Central District of California, Respondents respectfully request the Court delay this matter until the anticipated appointment of a Bankruptcy Trustee, who will make a decision as to how best to handle this matter.
7. For the reasons stated above, Respondents respectfully ask this Court to defer adjudication of any future motions that may come before it, which pertain to property of the Respondent debtors' estates, and require any moving parties to serve the anticipated Bankruptcy Trustee with any such motions.

WHEREFORE, the Respondents respectfully ask this Court to delay this matter until appointment of a Bankruptcy Trustee, who will be better suited to fully and accurately respond to the Plaintiff's Motion. Respondents also respectfully ask this Court to defer adjudication of any future motions that may come before it, which pertain to property of the Respondent debtors' estates, and require any moving parties to serve the anticipated Bankruptcy Trustee with any such motions.

Respectfully Submitted,
Girardi Keese Law Firm

By: /s/ Michael D. Monico
One of his attorneys

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